

01-10-00

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jc525 U.S. PTO  
01/07/00Please type a plus sign (+) inside this box ☐Attorney Docket P0978P5  
PATENT

## CERTIFICATION UNDER 37 CFR 1.10

EK145424682US.: Express Mail Number

January 7, 2000: Date of Deposit

I hereby certify that this Non-provisional Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner of Patents, Washington, D.C. 20231.

*Diane L. Marschang*  
Diane L. Marschang

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BOX PATENT APPLICATION  
Assistant Commissioner of Patents  
Washington, D.C. 20231

jc564 U.S. PTO  
09/479252  
01/07/00**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Avi J. Ashkenazi, San Mateo, CA  
Ralph H. Schwall, Pacifica, CA

Title: Apo-2 Ligand

**1. Type of Application**

[X] This is a [KEYBOARD()] continuation-in-part [X] continuation [KEYBOARD()] divisional application claiming priority to application Serial Number 09/060,533, filed April 15, 1998, application Serial Number 09/007,886, filed January 15, 1998, application Serial Number 08/780,496, filed January 8, 1997, and application number 60/009,755, filed January 9, 1996, the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b) (Non-provisional )**

<u>94</u>	pages of specification
<u>2</u>	pages of claims
<u>1</u>	page(s) of abstract
<u>18</u>	sheet(s) of drawings

[X] formal [KEYBOARD()] informal

**3. Declaration r Oath**

(for Cont./Div. where inventorship is the same or inventor(s) being deleted)

X A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

09479252-010700

(for cont./div.)

X

**5. Amendments (for continuation and divisional applications)**

## KEYBOARD()

X

**Relate Back -- 35 U.S.C. 120 or 35 U.S.C. 119**

X Amend the specification by inserting before the first line the sentence:

--This is a

## KEYBOARD()

**non-provisional application**

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X

continuation

## KEYBOARD()

divisional

## KEYBOARD()

continuation-in-part

of co-pending application(s)

X

Serial No. 09/060,533 filed on April 15, 1998, which is a continuation-in-part application of Serial No. 09/007,886 filed on January 8, 1997, which is a continuation-in-part application of Serial No. 08/780,496 filed on January 8, 1997, which claims priority to provisional application no. 60/009,755 filed on January 9, 1996, which applications are incorporated herein by reference.. --

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$760.00
Total Claims	25	- 20 =	5	X \$18.00	\$90.00
Independent Claims	13	- 3 =	10	X \$78.00	\$780.00
Multiple dependent claim(s), if any KEYBOARD( L				+ \$260.00	\$0.00
Filing Fee Calculation					\$1,630.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,630.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

☒ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this sheet is enclosed.**

**9. Additional Papers Enclosed**☒

Submission of "Sequence Listing" (paper copy), and Request to Use Computer Readable Form of Sequence Listing From a Priority Application.

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**

*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

☒

A petition, fee and/or response has been filed to extend the term in the pending prior application until January 9, 2000.

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A copy of the petition for extension of time in the **prior** application is attached.

004090" 25262460

X Address all future communications to:

Respectfully submitted,  
GENENTECH, INC.

By: Diane L. Marschang  
Diane L. Marschang  
Reg. No. 35,600

**1 DNA Way**  
**So. San Francisco, CA 94080-4990**  
**Phone: (650) 225-5416**  
**Fax: (650) 952-9881**

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